

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

UNITED STATES OF AMERICA,

CIVIL ACTION NO. 13-02778

PLAINTIFF

JUDGE ROBERT G. JAMES

VERSUS

MAG. JUDGE KAREN L. HAYES

HOUSING AUTHORITY OF THE
CITY OF RUSTON,

DEFENDANT

**ANSWER AND AFFIRMATIVE DEFENSES ON BEHALF OF HOUSING AUTHORITY
OF THE CITY OF RUSTON**

NOW INTO COURT, through undersigned counsel, comes Defendant, **Housing Authority of the City of Ruston**, (sometimes referred to as, “Defendant”), who in response to Plaintiff’s Original Complaint (“Complaint”), denies each and every allegation asserted therein, unless expressly admitted herein below, and who further, submits its affirmative defenses and responds as follows:

FIRST AFFIRMATIVE DEFENSE

Plaintiff’s Complaint fails to state a claim upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

Plaintiff’s Complaint fails to show any damages arising from or as a result of the allegations made therein.

THIRD AFFIRMATIVE DEFENSE

Plaintiff’s Complaint fails to show the Defendant proximately harmed Plaintiff.

FOURTH AFFIRMATIVE DEFENSE

Plaintiff's claims are or may be barred by the failure of the Plaintiff to mitigate its damages, which damages are expressly denied.

FIFTH AFFIRMATIVE DEFENSE

Plaintiff's claims are or may be barred by prescription, laches, waiver, and /or estoppel.

SIXTH AFFIRMATIVE DEFENSE

Defendant reserves the right to raise any additional defenses, affirmative or otherwise, as information becomes available.

SEVENTH AFFIRMATIVE DEFENSE

In response to the factual allegations made by the Plaintiff in the Complaint, Defendant denies each and every allegation contained in the Complaint.

AND NOW, in answer to the Complaint article by article, Defendant responds as follows:

1.

The allegations of Article 1 require neither an answer nor a denial from defendant herein. However, to the extent an answer is required, the allegations of Article 1 are denied for lack of sufficient information to justify a belief therein.

2.

The allegations of Article 2 are admitted.

3.

The allegations of Article 3 are admitted insofar as it relates to venue. To the extent that any other allegations are contained within Article 3, those allegations are denied.

4.

The allegations of Article 4 are admitted.

5.

The allegations of Article 5 are denied.

6.

The allegations of Article 6 are admitted.

7.

The allegations of Article 7 are denied as alleged.

8.

The allegations of Article 8 are denied as alleged.

9.

The allegations of Article 9 are denied for lack of sufficient knowledge and information to justify a belief therein.

10.

The allegations of Article 10 are denied for lack of sufficient knowledge and information to justify a belief therein.

11.

The allegations of Article 11 are denied.

12

The allegations of Article 12 are denied.

13.

The allegations of Article 13 are denied.

14.

The allegations of Article 14 are denied.

15.

The allegations of Article 15 are denied.

16.

The allegations of Article 16 are denied.

17.

The allegations of Article 17 are denied.

WHEREFORE, defendant, **Housing Authority of the City of Ruston**, prays that this, its Answer and Affirmative Defenses, be deemed good and sufficient and after all legal delays and due proceedings had, there be Judgment herein in favor of Housing Authority of the City of Ruston, and against Plaintiff, the United States of America, dismissing Plaintiff's claims with prejudice and with all costs taxed against Plaintiff, the United States of America. Defendant further prays for all relief to which it is entitled, whether in law or in equity.

Respectfully submitted,

/s/ George M. Snellings, IV

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Ruston

CERTIFICATE OF SERVICE

I hereby certify that on November 25, 2013, a copy of the foregoing Answer was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to all parties by operation of the court's electronic filing system

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